

Date: 27 August 2025
Responsible Officer: Emma Brown
Location: School MacKillop Catholic College, 85-97 Sparks Road,
 WOONGARRAH NSW 2259
 Lot 71 DP 1258149
Owner: Trustee of the Roman Catholic Church for the Diocese of Broken
 Bay
Applicant: EPM Projects
Date of Application: 19 August 2024
Application No: DA/1200/2024
Proposed Development: Alterations and additions to Mary MacKillop Primary and
 Secondary Catholic College in three stages including part
 demolition of existing single storey General Learning Area (GLA)
 buildings and construction of two x two storey and one x three
 storey GLA Blocks containing 28 new GLA's, amenities,
 storerooms, site works, infrastructure and play areas and
 increase by 275 students and 34 staff members.
Land Area: 74870.00
Existing Use: Educational Establishment

PROPOSED CONDITIONS

The development taking place in accordance with the approved development plans reference number DA/1200/2024 except as modified by any conditions of this consent, and any amendments in red.

1.PARAMETERS OF THIS CONSENT

Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Revision No.	Plan Title	Drawn By	Dated
36014A01.DWG Sheet 1-6 to Sheet 6-6	E	Survey Plan	DS&P	4 March 2024
A0001 A0101 A0102 A0103 A0104 A0151 A0152 A0153	DA04	Architectural Plans Project 2826.22	Stanton Dahl Architects	11 August 2025

A0181 A0182 A0183 A0184 A0201 A0202 A0203 A0204 A0205 A0206 A0301 A0302 A0311 A0312 A0313 A0321 A0322 A0323 A0401 A0402 A0403 A0404 A0405 A0406 A0501 A0502 A0601				
L01-L05		Updated Landscape Plan	Inviewdesign Landscape Design Institute	21 February 2025
C.01 C.02, SW.1K		Bulk Excavation Plan, Stormwater Drainage Plan	James Taylor & Associates	18 January 2025, 5 June 2025
SW.30	D	Updated Silt and Sediment Control Plan	James Taylor & Associates	29 October 2024
SM1, SM21, SM32, SM33	A	Soil and Water Management Plan	James Taylor & Associates	25 June 2025
SW1.K		Civil Plans - Stormwater Design	James Taylor & Associates	5 June 2025

Document Title	Version No.	Prepared by	Dated
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Statement of Environmental Effects	A	EPM Projects	19 July 2024
Operational Traffic Management Plan	Reference: 23.196r01v05 Addendum Reference 23.196r02v03	Traffix	15 July 2025 1 April 2025
Preliminary Plan of Management		Mary Mackillop Catholic College	
Updated Acoustic Report	ID 12590 R01 Version 6	PKA Acoustic Consulting	16 January 2025
Arboricultural Impact Assessment		Bellevue Tree Consulting	July 2024
Koala Assessment		Jack Tatler of East Coast Ecology	15 July 2024
Preliminary BCA Assessment		Steve Watson & Partners	17 July 2024
Bushfire Assessment Report	Reference J24/0070, Version: 6	Bushfire Consulting Services	18 December 2024
Resource and Waste Management Plan Form		Ivana Singh	19 June 2025
Waste Management Plan		MRA	15 July 2024
EDC and QS Report		Blue Stone Management	4 July 2024
Design Verification Statement		Stanton Dahl Architects	26 June 2025
Water Cycle Management Plan	5	James Taylor & Associates	June 2025
Preliminary Site Investigation		Raw Earth Environmental	July 2024

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

1.2 Carry out all building works in accordance with the National Construction Code Series, Building Code of Australia, Volume 1 and 2 as appropriate.

1.3 Comply with NSW RFS GTAs as per letter dated 25 June 2025.

1.4 Comply with TfNSW recommendations as per letter, dated 28 July 2025.

1.5 Approval is granted for the development to be carried out in three sequential stages in the following manner:

Stage 1

Block V and Block W as well as the new amenities buildings with associated access will be in Stage 1.

Stage 2

Block T, access upgrades and landscaping adjacent to Block T and Block V will be delivered in Stage 2.

Stage 3

The southern section of the play area delivered in Stage 3.

Works and contributions are to be finalised appropriate for each stage prior to the release of the Occupation Certificate.

1.6 Comply with the General Terms of Approval / requirements from the Authorities as listed below and attached as a schedule of this consent.

Government Agency / Department / Authority	Description	Ref No	Date
Transport For NSW (TfNSW)	TfNSW Advice to Consent Authority	File No: NTH25/00039/003	28 July 2025
NSW Rural Fire Service (RFS)	RFS General Terms of Approval (GTA)	Reference: DA20240904003622-S38-3 Reference: DA20240904003622-S38-1	18 July 2025 4 March 2025

1.7 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any construction works. The application for this Certificate is to satisfy all the requirements of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

1.8 Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority. The Occupation Certificate application is to satisfy all the requirements of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

1.9 Where conditions of this consent require approval from Council under Section 138 of the Roads Act 1993, Section 68 of the Local Government Act 1993 or Section 305 of

the Water Management Act 2000, a completed Works application form must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE FOR ALL STAGES

- 2.1 All conditions under this section must be met prior to issue of the relevant **Stage** Construction Certificate.
- 2.2 **ALL STAGES** - No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
- a) Site investigation for the preparation of the construction, and / or
 - b) Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
 - c) Demolition.
- 2.3 **ALL STAGES** - Engage a suitability qualified (licenced) and experienced project ecologist to oversee and / or implement tree and ecological conditions.
- 2.4 **ALL STAGES** – Submit to Council a dilapidation report detailing the condition of all Council assets within the vicinity of the development. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs, streetlights, or any other Council assets in the vicinity of the development. The dilapidation report will be required to be submitted to Council prior to the issue of the Section 138 Roads Act Works approval or the issue of any Construction Certificate for works on the site. The dilapidation report may be updated with the approval of Council prior to the commencement of works. The report will be used by Council to establish damage to Council's assets resulting from the development works.
- 2.5 **ALL STAGES** – Submit an application to Council under Section 305 of the *Water Management Act 2000* for a Section 306 Requirements Letter. The Application form can be found on Council's website centralcoast.nsw.gov.au. Early application is recommended.
- The Section 305 application will result in a Section 306 letter of requirements which must be obtained prior to the issue of any Construction Certificate. The requirements letter will outline which requirements must be met prior to each development milestone, e.g., prior to Construction Certificate and/or Occupation Certificate.
- 2.6 **ALL STAGES** - Obtain a Section 68 Local Government Act Works Approval for Stormwater Drainage works by submitting an application to Council for a 'Section 68 Local Government Act Works Approval – stormwater drainage' for storm water drainage works connecting to or within Council's storm water system using an

Application for Subdivision Works Certificate or Construction Certificate, Roads Act Works Approval and other Development related Civil Works form.

The application is to be accompanied by detailed design drawings, reports and other documentation prepared by a suitably experienced qualified professional in accordance with Council's *Civil Works Specifications*.

Fees, in accordance with Council's Fees and Charges, will be invoiced to the applicant following lodgement of the application. Fees must be paid prior to Council commencing assessment of the application.

Design drawings, reports and documentation will be required to address the following works:

- a) Construction of the connection of all piped and collected stormwater runoff from within the development site to Council's stormwater system located within the internal Council drainage easement.
- b) Impacts on the existing Council drainage system which shall ensure the water quality and quantity requirements of the existing drainage system are not exceeded (including on site detention and downstream requirements) and the integrity of the drainage system is maintained.
- c) The design shall demonstrate consideration of current and future planned development associated with the upstream drainage system.
- d) Stormwater flows up to and including the PMF within the drainage system shall be considered with regard to impacts on the proposed development and evacuation routes.
- e) Bridge structures within the drainage easement shall not result in afflux of the upstream drainage system. Bridges shall be designed for removal by the property owner for future maintenance requirements.
- f) Safety fencing of the drainage system both during works and ongoing.

The *Section 68 Local Government Act Works Approval – stormwater drainage* must be issued and all conditions of that approval addressed prior to commencing any works that are the subject of the approval.

- 2.7 **STAGE 1** - Design of retaining walls greater than 600mm in height shall be prepared by a suitably qualified Registered Civil / Structural Engineer and are to be submitted for the approval of the Registered Certifier. The retaining wall construction including footings shall be entirely contained within the applicant's property. Incorporated subsoil drainage shall not be directed onto neighbouring properties unless appropriate 88B restrictions have been identified. Retaining walls shall be designed in accordance with AS4678 Earth Retaining Structures, for a minimum design life of 60 years.
- 2.8 **STAGE 1** - Design of the pedestrian bridges crossing the council drainage easement shall be in accordance with AS 5100:2017 Bridge design Series, Austroads Guide to Bridge Technology – Set and Councils Civil Works Specification Design Guidelines. The

design shall be certified by a suitably qualified engineer and accepted by the Registered Certifier prior to issue of the Construction Certificate.

- 2.9 **STAGE 1** - Provide a Detailed Contaminated Site Investigation and Site-Specific Risk Assessment and Modelling prepared by a suitably qualified contaminated land consultant that is accredited by the Certified Environmental Practitioners Scheme- Site Contamination (CEnvP(SC)) and/or the Certified Professional Soil Scientist- Contaminated Site Assessment and Manager (CPSS CSAM). Such investigation must be undertaken in accordance with Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (1998) and NSW Environment Protection Authority's Contaminated Land Guidelines - Consultants Reporting on Contaminated Land 2020 and Contaminated Sites – Sampling Design Guidelines (2022) and the National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013). The DSI is to make reference to the Preliminary Site Investigation, prepared by Raw Earth Environmental Pty Ltd, dated July 2024.
- a) (If required) Provide a Remedial Action Plan prepared by a suitably qualified contaminated land consultant that is accredited by the Certified Environmental Practitioners Scheme- Site Contamination (CEnvP(SC)) and/or the Certified Professional Soil Scientist- Contaminated Site Assessment and Manager (CPSS CSAM). Such investigation must be undertaken in accordance with Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (1998) and NSW Environment Protection Authority's Contaminated Land Guidelines - Consultants Reporting on Contaminated Land 2020 and Contaminated Sites – Sampling Design Guidelines (2022) and the National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013).
 - b) (If required) Provide a Validation Report, Environmental Management Plan and Ongoing Monitoring Report prepared by a suitably qualified contaminated land consultant that is accredited by the Certified Environmental Practitioners Scheme- Site Contamination (CEnvP(SC)) and/or the Certified Professional Soil Scientist- Contaminated Site Assessment and Manager (CPSS CSAM). Such investigation must be undertaken in accordance with Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (1998) and NSW Environment Protection Authority's Contaminated Land Guidelines - Consultants Reporting on Contaminated Land 2020 and Contaminated Sites – Sampling Design Guidelines (2022) and the National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013).
- 2.10 **ALL STAGES** - A suitably qualified and currently practising acoustic consultant who is a member of the Association of Australasian Acoustical Consultants is to provide a report confirming that the specifications and location of the outdoor plant and equipment shall not exceed those listed in table 5-1, recommendations for PA System/School Bell and Soffit Treatment as recommended in Section 7.0 Recommendations of the DA Acoustic Report, prepared by PKA Acoustic Consulting, dated 16 January 2025.
- 2.11 **ALL STAGES** - Identify trees and native vegetation proposed for retention and those approved for removal must be clearly marked on all final engineering and landscaping plans. All fenced tree protection areas must be clearly marked as "No Go Area" on all

plans. The location of any threatened species and ecological communities must also be marked on all plans.

LANDSCAPE PLAN

- 2.12 A revised landscape plan is to be submitted to the Principal Certifying Authority. The plan is recommended to include endemic/native species and replace the non-native species in the proposed landscape plan. Plant species should be commensurate with the historically cleared Plant Community Type such as PCT 1619 – Buttonderry Foothills Forest.

As per the Bushfire Report by *Bushfire Consulting Services Pty Ltd Report No. J24/0070* landscaping within the APZ is to comply with the NSW RFS 'Asset protection zone standards' (PBP Appendix 4).

The entirety of the property is treated as an Inner Protection Zone and as per the requirements of the *Planning for Bushfire Protection 2019* is as follows:

a) Trees

- i. Tree canopy should be less than 15% at maturity
- ii. Trees at maturity should not touch or overhang the building
- iii. Lower limbs should be removed up to a height of 2 m above the ground
- iv. Tree canopies should be separated by 2 to 5 m
- v. Preference should be given to smooth barked and evergreen trees.

b) Shrubs

- i. Create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided
- ii. Shrubs should not be located under trees
- iii. Shrubs should not form more than 10% ground cover
- iv. Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.

c) Grass

- i. Grass should be kept mown (as a guide grass should be kept to no more than 100 mm in height)
- ii. Leaves and vegetation debris should be removed.

Several proposed tree species in the landscape plan should be replaced with evergreen trees. For instance, the proposed landscape plan include species that are deciduous and as per the *Planning for Bushfire Protection 2019* – evergreen trees are preferred. Trees are to be replaced at a ratio of 1:2 (2 replacement trees per tree removed).

- 2.13 *Prior to the issue of a construction certificate, long and cross sections, pavement details and a drainage plan for the car parking area to the west of Mary MacKillop Drive and Tension Woods Close intersection providing a capacity for 80 vehicles is to be upgraded, sealed and linemarked. A detailed car parking design from a suitably qualified consultant for the 80 space parking area proposed on Lot 72 DP1258149 is to be submitted to the*

Registered Principal Certifying Authority. The design shall generally be in accordance with plans by Stanton Dahl Architects No2826.22 A0104 Revision DA01 and shall include:

- a) Pavement marking, appropriate signage and physical controls detailed for the carpark and access driveway.*
- b) Grades and grade changes in accordance with AS/NZS2890.1.*
- c) Two way traffic movements within the carpark area.*
- d) Pavement design able to withstand anticipated vehicle loading.*
- e) Surface pavement of bitumen asphalt as a minimum.*
- f) Wheel stops for all parking spaces.*
- g) Drainage infrastructure to ensure all flows from the carpark area are directed to the existing internal drainage system. Piped drainage shall be provided for flows up to the 5% AEP storm event with overland flow paths for greater storm events. Flow depths shall be maintained at less than 300mm in depth.*
- h) Water quality pit insert filters within the drainage pits in the carparking area.*
- i) Suitable kerb edge restraint for the carparking area.*
- j) Carparking shall comply with user class 1 in AS/NZS2890.1*
- k) Identification of pedestrian desire paths internal to the carpark with consideration for people with disabilities.*
- l) Pedestrian paths minimum of a concrete pavement 1.5m wide. Design shall comply with the National Construction Code for usage by people with disabilities.*
- m) Suitable lighting in accordance with AS/NZS2890.1*
- n) The design drawings shall be certified by a suitably qualified engineer as complying with the requirements of AS/NZS 2890 – Parts 1 and 6 and other applicable Australian standards and shall be approved by the Registered Certifier prior to the issue of a Construction Certificate.*

3. PRIOR TO COMMENCEMENT OF ANY WORKS IN ALL STAGES

- 3.1. All conditions under this section must be met prior to the commencement of all stages of works.

- 3.2. **ALL STAGES** – Submit to Council a completed *Notice of Intention to Commence Subdivision, Roads and Stormwater Drainage Works* form with supporting documentation prior to the commencement of any Roads Act Works Approval works. These works are not to commence until a pre-commencement site meeting has been held with Council.
- 3.3. **ALL STAGES** – Prepare a Construction Traffic and Pedestrian Management Plan (CTPMP) for all activities related to works within the site. The plan must be prepared and implemented only by persons with Roads and Maritime Service accreditation for preparing and implementing traffic management plans at work sites.

The CTPMP must describe the proposed construction works, the traffic impacts on the local area and how these impacts will be addressed.

The CTPMP must address, but not be limited to, the following matters:

- Ingress and egress of construction related vehicles to the development site.
- Details of the various vehicle lengths that will be used during construction and the frequency of these movement.
- Use of swept path diagrams to demonstrate how heavy vehicles enter, circulate, and exit the site or Works Zone in a forward direction.
- Deliveries to the site, including loading / unloading materials and requirements for work zones along the road frontage to the development site. A Plan is to be included that shows where vehicles stand to load and unload, where construction plant will stand, location of storage areas for equipment, materials and waste, locations of Work Zones (if required) and location of cranes (if required).
- Works Zones if heavy vehicles cannot enter or exit the site in a forward direction.
- Control of pedestrian and vehicular traffic where pre-construction routes are affected.
- Temporary Road Closures.
- Appropriate time restrictions for the *Occasional Construction Vehicle Access*, at the western end of the Shelly Beach Road frontage (as detailed within Drawings A-0501 and A-0502 of the approved Architectural Plans), to ensure this access is not utilised during the peak drop-off and pick-up times for the educational establishment. Note: this point is applicable to Stages 1B & 2 only.

Where the plan identifies that the travel paths of pedestrians and vehicular traffic are proposed to be interrupted or diverted for any construction activity related to works inside the development site an application must be made to Council for a Road Occupancy Licence. Implementation of traffic management plans that address interruption or diversion of pedestrian and/or vehicular traffic must only take place following receipt of a Road Occupancy Licence from Council.

Where a dedicated delivery vehicle loading and unloading zone is required along the road frontage of the development site a Works Zone Application must be lodged and

approved by Council. A minimum of 3 months is required to allow Traffic Committee endorsement and Council approval.

The Construction Traffic and Pedestrian Management Plan must be reviewed and updated during construction of the development to address any changing site conditions.

A copy of the Construction Traffic and Pedestrian Management Plan must be held on site at all times and be made available to Council upon request.

- 3.4. **ALL STAGES** – Submit a Hoarding Application to Council for approval under the Roads Act where it is proposed to erect construction fencing, a hoarding, site sheds or utilise the road reserve for any construction activity related to the development works within the site.

Fees, in accordance with Council's Fees and Charges, will be invoiced to the applicant following lodgement of the application and will be required to be paid prior to Council releasing any approval.

- 3.5. **ALL STAGES** - Appoint a Principal Certifier for the building work:

- a) The Principal Certifier (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
- b) Submit to Council a Notice of Commencement of Building Work form giving at least two (2) days' notice of the intention to commence building work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au

- 3.6. **ALL STAGES** - Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:

- a) The name, address, and telephone number of the Principal Certifier for the work; and
- b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
- c) That unauthorised entry to the work site is prohibited.
- d) Remove the sign when the work has been completed.

- 3.7. **ALL STAGES** - Disconnect, seal, and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.

- 3.8. **ALL STAGES** - Ensure that all parties / trades working on the site are fully aware of their responsibilities with respect to tree protection conditions.

- 3.9. **ALL STAGES** - Tree protection is to be as per the recommendations within sections 5.0,6.0,7.0, Appendix's G1 & 2 of the Arboricultural Impact Assessment, prepared by Bellevue Tree Consultants, dated July 2024.

Trees to be retained are to be protected by fencing and / or other accepted protection measures in accordance with Australian Standard AS 4970-2009: Protection of Trees on Development Sites. All required tree protection measures are to be maintained for the duration of construction works.

Erect a 1.8-metre-high chain mesh fence around Tree Protection Zones that must remain intact until construction is completed.

Sign-post fences around Tree Protection Zones to warn of its purpose.

- 3.10. **ALL STAGES** - The submission of a plan of management for any works for the development that impact on existing internal road related or carpark areas or areas used by the public / students / staff for the construction phase of the development, prior to that section of work commencing. The plan is to include a Traffic Control Plan and/or a Work Method Statement for any works or deliveries that impact the normal internal travel paths of vehicles, pedestrians or where any materials are lifted over areas used by the public. The safety of the public, students and staff shall be specifically addressed. This plan must be certified by an appropriately accredited/qualified professional and approved by the Registered Certifier.
- 3.11. **ALL STAGES** - Undertake any demolition involving asbestos in accordance with the *Work Health and Safety Act 2011*.

The person having the benefit of this consent must ensure that the removal of:

- a) more than 10m² of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist, and
- b) friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence.

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the *Work Health and Safety Regulation 2011*.

- 3.12 No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
- a) Site investigation for the preparation of the construction, and / or
 - b) Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
 - c) Demolition approved by this consent.

- 3.13 Appoint a Principal Certifying Authority for the building work:

- a) The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
 - b) Submit to Council a Notice of Commencement of Building Works or Notice of Commencement of Subdivision Works form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au
- 3.14 Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
- a) The name, address and telephone number of the Principal Certifying Authority for the work; and
 - b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - c) That unauthorised entry to the work site is prohibited.
 - d) Remove the sign when the work has been completed.
- 3.15 Install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:
- erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
 - diverting uncontaminated run-off around cleared or disturbed areas, and
 - preventing the tracking of sediment by vehicles onto roads, and
 - stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.
- 3.16 Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
- a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - b) could cause damage to adjoining lands by falling objects, or
 - c) involve the enclosure of a public place or part of a public place.

Note 1: A structure on public land or on or over a public road requires the prior approval of the relevant authority under the Local Government Act 1993 or the Roads Act 1993, respectively.

Note 2: The Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011 contain provisions relating to scaffolds, hoardings and other temporary structures.

- 3.17 Prior to commencement of construction or site works, a Soil and Water Management Plan (SWMP) prepared in accordance with the latest edition of the Landcom Publication "Managing Urban Stormwater: Soils and Construction – Volume 1" (the Blue Book). Sediment control fencing must remain in place until such time as the site is landscaped or turf is established.

Note: Discharge of sediment from a site may be determined to be a pollution event under provisions of the Protection of the Environment Operations Act 1997. Enforcement action may commence where sediment movement produces a pollution event.

- 3.18 Provide or make available toilet facilities at the work site before works begin and maintain the facilities until the works are completed at a ratio of one toilet plus one additional toilet for every twenty (20) persons employed at the site. Each toilet must:
- a) be a standard flushing toilet connected to a public sewer, or
 - b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
 - c) be a temporary chemical closet approved under the Local Government Act 1993.

4.DURING WORKS IN ALL STAGES

- 4.1. All conditions under this section must be met during works.
- 4.2. **TREE REMOVAL**
Trees to be removed to accommodate for the development as specified within sections 5.0,6.0, Appendix G1 of the Arboricultural Impact Assessment report by Bellevue Tree Consultants dated July 2024.
- 4.3. **ARBORIST TO SUPERVISE**
Appoint a Project Arborist (AQF 5) to oversee the works in relation to tree protection measures during critical stages of construction. The Project Arborist is to ensure all trees identified for retention are retained with tree protection measures consistent with the Australian Standard AS4970-2009 Protection of Trees on Development Sites.
- 4.4 Design, locate and install underground services to minimise or prevent tree root damage in accordance with Australian Standard AS 4970-2009: Protection of Trees on Development Sites.
- 4.5. Activities generally excluded from the Tree Protection Zone, but not limited to:
- a) Machine excavation, trenching, material storage, prepare chemicals or cement, park, refuel, dump waste, wash down, fill or change soil level.
- 4.6. Prior to commencement of any tree removal, undertake a comprehensive visual inspection using suitable aids such as binoculars, tree climber and/or elevated work

platforms, to determine if any native fauna sensitive to clearing are occupying the tree(s). This may include presence of roosting birds or mammals, hollows or nests. Should native fauna be found as part of the visual inspection or during felling, all tree removal is to cease immediately, and an Ecologist licenced in the handling of native wildlife must be contacted to attend the site and supervise works. Animals are to be relocated by the suitably qualified person prior to felling of the tree. Wildlife must be relocated locally to an area with adequate resources in accordance with the suitably qualified person's licence.

- 4.7. Implement dust suppression measures on-site during bulk earthworks to suppress dust generated by vehicles and equipment. Dust must also be suppressed at all other stages of construction in order to comply with the *Protection of the Environment Operations Act 1997*.
- 4.8. No soils to be imported to the subject site except for Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*.
- 4.9. Classify all excavated material removed from the site in accordance with NSW EPA (2014) *Waste Classification Guidelines* prior to disposal. All excavated material must be disposed of to an approved waste management facility, and receipts of the disposal must be kept on-site.
- 4.10. The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

7.00 am and 5.00 pm on Monday to Saturday.

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

- 4.11. Implement all soil and water management control measures and undertake works in accordance with the approved Soil and Water Management Plan – Stage 1, Stage 2 and Stage 3, prepared by James Taylor & Associates, 05.06.2025, Rev A. Update the plan as required during all stages of the construction or in accordance with the '*Blue Book*' (*Managing Urban Stormwater: Soils and Construction, Landcom, 2004*).
- 4.12. Undertake clearing in accordance with the approved tree removal/retention survey plan. Trees must be removed in such a manner so as to prevent damage to surrounding trees to be retained.

4.13. Implement the following fauna welfare measures during clearing:

a) Fauna Welfare

Prior to commencement of any tree removal, undertake a comprehensive visual inspection using suitable aids such as binoculars, tree climber and/or elevated work platforms, to determine if any native fauna sensitive to clearing are occupying the tree(s). This may include presence of roosting birds or mammals, hollows or nests. Should native fauna be found as part of the visual inspection or during felling, all tree removal is to cease immediately, and an Ecologist licenced in the handling of native wildlife must be contacted to attend the site and supervise works. Animals are to be relocated by the suitably qualified person prior to felling of the tree. Wildlife must be relocated locally to an area with adequate resources in accordance with the suitably qualified person's licence.

4.14. Supply any plant stock used in landscaping from provenance specific seed/material collected from locally endemic species to maintain genetic diversity. Plant stock should be sourced from local nurseries to Warnervale. Non-provenance specific material is prohibited. Ensure the landscape plan meets the requirements of Appendix 4 Inner Protection Areas (IPAs) of the *Planning for Bushfire Protection 2019*.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE FOR ALL STAGES

- 5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2. Obtain the Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Central Coast Council as the Water Supply Authority, prior to issue of the Occupation Certificate.
- 5.3. Complete construction of all works approved in the Local Government Act Section 68 Stormwater Drainage Works Approval. Completion include the submission and acceptance by Council of all work as executed drawings plus other construction compliance documentation and payment of a maintenance/defects bond to Council in accordance with Council's adopted fees and charges.
- 5.4. Certification from a qualified structural/civil engineer shall be submitted prior to occupation that all piling / piling, foundations, load bearing retaining walls, and structures as built have been constructed in accordance with the submitted plans, accepted practice, and that the structure is stable and capable of catering for all anticipated loads for the expected design life of the structure.
- 5.5. Complete the civil engineering works within the development site in accordance with the detailed design drawings and design reports plans within the construction certificate.
- 5.6. A suitably qualified and currently practising acoustic consultant who is a member of the Association of Australasian Acoustical Consultants is to provide a report confirming that the specifications and location of the outdoor plant and equipment shall not

exceed those listed in table 5-1, and any recommendations for PA System/School Bell and Soffit Treatment have been implemented in accordance with Section 7.0 Recommendations the DA Acoustic Report, prepared by PKA Acoustic Consulting, dated 16 January 2025.

- 5.7 The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

7.00 am and 5.00 pm on Monday to Saturday.

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods, or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

- 5.8 While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

"relic" means any deposit, artefact, object, or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance; and

"Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains. To ensure the protection of objects of potential significance.

- 5.9 Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- 5.10 Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifier or an officer of

Council. 5.11 Place all building materials, plant, and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the *Roads Act 1993*.

- 5.12 The Principal Contractor must ensure that a registered surveyor carries out check surveys and provides survey certificates confirming the location of the building(s), ancillary works, flood protection works and the stormwater drainage system relative to the boundaries of the site and that the height of buildings, ancillary works, flood protection works and the stormwater drainage system relative to Australian Height Datum complies with this consent at the following critical stages.

The Principal Contractor must ensure that work must not proceed beyond each of the following critical stages until compliance has been demonstrated to the Principal Certifier's satisfaction.

- 5.13 Complete construction of the stormwater management system in accordance with the Stormwater Management Plan and Australian Standard AS 3500.3-*Stormwater drainage systems*. Certification of the construction by a suitably qualified consultant must be provided to the Principal Certifier.
- 5.14 Repair any damage to Council's infrastructure and road reserve as agreed with Council. Damage not shown in the dilapidation report submitted to Council before the development works had commenced will be assumed to have been caused by the development works unless the Developer can prove otherwise.
- 5.15 Complete the civil engineering works within the development site in accordance with the detailed design drawings and design reports plans within the construction certificate.
- 5.16 Re-use, recycle or dispose of all building materials in accordance with the Waste Management Plan submitted with the subject application.
- 5.16 *Complete Construction of driveways, pedestrian requirements and car parking areas in accordance with the requirements of the current edition Australian Standard AS/NZS 2890: Parking Facilities, other applicable Australian Standards and the detailed designs and design reports within the construction certificate. Certification by a suitably qualified engineer that construction is completed in accordance with the above requirements is to be provided to the Registered Principal Certifying Authority.*
- 5.17 *Include on the Deposited Plan (DP) an Instrument under the Conveyancing Act 1919 for the following restrictive covenants; with Council having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants must be defined by bearings and distances shown on the plan. The plan and instrument must:*

- a) *Create a positive covenant benefitting Lot 71 DP 1258149 and burdening Lot 72 DP1258149 for the ongoing use of the proposed carparking area associated with servicing lot 71 DP 1258149. Ongoing maintenance of the carparking area shall be the responsibility of the benefitting party.*

Note: Standard wording, acceptable to Council, for covenants can be obtained by contacting Council Subdivision Certificate Officer.

6.ONGOING FOR ALL STAGES AND OPERATION

PLAN OF MANAGEMENT

- 6.1 The site is to operate in accordance with the Plan of Management prepared by MacKillop Catholic College. 5.11. *Prior to the issue of any Occupation Certificate, the Plan of Management is to be updated to incorporate the recommendations of the Operational Traffic Management Plan prepared by Traffix, dated July 2025. This plan must incorporate any applicable regulatory requirements and/or recommendations.*

OPERATIONAL TRAFFIC MANAGEMENT PLAN

- 6.2 The site is to operate in accordance with the Operational Traffic Management Plan prepared by Traffix, dated July 2025.

HOURS OF OPERATION

- 6.3 The site is operate in accord with the following primary and high school student finish bell times, with a suitable interval to spread out the volume of vehicles arriving on-site:
 - a) Kindergarten to Year 2 bell at 2:45pm
 - b) Years 10 to 12 bell at 3:00pm
 - c) Years 3 to 6 bell at 3:15pm
 - d) Years 7 to 9 bell 3:30pm
 - e) Drop-off and pick-up will be on the northern boundary on Mataram Road for only Kindergarten to Year, where there are 26 dedicated DOPU spaces.
 - f) Years 3 to 6 parents/guardians and carers will use Tennison Woods Close.

The campus is open between 7:00am and 6.00pm, Monday to Friday:

- a) 7.00am and 8:45am staff will use the building for curriculum preparation time.
 - b) 8.45am and 3.05pm the building will be used for teaching students.
 - c) 3.05pm and 6.00pm the building will be used for Professional Development curriculum preparation time and staff meetings.
 - d) Core school hours are 8:15am and 3:20pm.
- 6.4 Management procedures outlined in the Operational Traffic Management Plan prepared by Traffix, dated July 2025 and Plan of Management prepared by Macjillop Catholic College are to be reviewed bi-annually, with updates made as necessary to reflect changes in school operations, surrounding road conditions, or parking availability. *The management measures outlined in this OTMP are to be implemented immediately upon the approval of DA/1200/2024. This will allow sufficient time for parents to become*

familiar with the new traffic arrangements, ensuring safe and efficient procedures for both pedestrians and vehicles are well established prior to the commencement of the school expansion. The operational reviews are to be monitored and reported to the Principal Certifying Authority and/or Council.

- 6.4.1 As part of the plan all parents will be required to adhere to the OTMP procedures when visiting/DOPU on the school grounds.
- 6.4.2 The school will provide appropriate on-site supervision for families with children enrolled in both primary and high school. Supervision will be provided from 2:45pm to students who finish earlier, ensuring they are safely cared for until the later dismissal time.
- 6.4.3 The travel coordinator (Deputy Principal or other appropriate nominated staff member) will be referred any complaints made by parents, students or staff about any issue relating to staff or students journey to and from school.
- 6.4.4 Parents will be provided with contact details of the travel coordinator within the Enrolment pack for students which will be supplied by the school. This will include a link to the school's website whereby parents would be able to lodge any concerns for review by the travel coordinator.

Any variation to the above hours of operation or travel management arrangements requires development consent of Council.

- 6.5 Comply with ongoing recommendations of the updated Acoustic Report ID 12590 R01 Version 6 prepared by PKA Acoustic Consulting noise limitation conditions:
 - a) All works and ongoing activities undertaken at the site must be undertaken in a manner that will minimise noise and vibration impacts at any sensitive receivers.
 - b) Noise generated at the premise should not exceed the project noise levels identified in the updated Acoustic report.
- 6.6 Load and unload delivery vehicles wholly within the site. Delivery vehicles must enter and exit the site in a forward direction.
- 6.7 Maintain all security/front/perimeter fencing for the life of the development in the approved location.
- 6.8 Maintain the site landscaping for the life of the development.
- 6.9 Replace all damaged, dead or missing areas of lawn and plantings at the completion of the landscaping maintenance period, including adjoining road reserve areas that are in a state of decline, to a healthy and vigorous condition in accordance with the approved detailed Landscape Plans and Development Consent Conditions.
- 6.10 Maintain internal pavement and pavement marking.

- 6.11 Do not erect advertising sign(s) on or in conjunction with the use and / or development without development consent unless the advertisement is exempt development or otherwise permitted without development consent.
- 6.12 Operate and maintain all external lighting so as not to impact on any adjoining property.
- 6.13 Do not give rise to offensive noise, odour or air pollution or water pollution as defined in the Protection of the Environment Operations Act 1997.
- 6.14 Retaining the current arrangements for servicing and delivery vehicles to utilise the existing driveways and all deliveries are undertaken between 8:00am and 5:00pm Monday to Friday outside of peak drop-off/pick-up periods. No deliveries are accepted outside of these hours.
- 6.15 *The travel coordinator (Deputy Principal or other appropriate nominated staff member) will be referred any complaints made by parents, students or staff about any issue relating to staff or students journey to and from school. This will be recorded and followed up with the complainant. Each complaint will need to be investigated and a course of action to address the complaint, which may include changes in procedures. Any changes to the procedures will need to be communicated in an appropriate format and timely manner.*
- 6.16 *Parents will be provided with contact details of the travel coordinator within the Enrolment pack for students which will be supplied by the school. This will include a link to the school's website whereby parents would be able to lodge any concerns for review by the travel coordinator.*
- 6.17 *The maximum number of students attending Mary Mackillop Primary and Secondary Catholic College shall not exceed 1830 students. The maximum number of staff (teaching and service) shall not exceed 170 at all times.*
- 6.18 *The maximum number of OOSH attendees is to be capped at 32 primary school students.*
- 6.19 *During Monday to Friday, private events/services including however not limited to funerals, weddings, baptisms are to operate at the Mary Mackillop Catholic Church Parish only between 10:00am and 2:00pm.*
- 6.20 *The minimum number of parking spaces at the site shall accommodate 242 vehicles:*
- a) At-grade parking area fronting Mataram Road providing a total of 26 spaces.*
 - b) At-grade parking area fronting Tension Woods Close providing a total of 124 spaces (noting two spaces are dedicated to the parish).*
 - c) Parking area to the west of Mary MacKillop Drive and Tension Woods Close intersection providing a capacity for 80 vehicles.*
 - d) Drop off / pickup zone along Tension Woods Close, accommodating 12 vehicles.*

10.PENALTIES

Failure to comply with this development consent and any condition of this consent may be a **criminal offence**. Failure to comply with other environmental laws may also be a **criminal offence**.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

ADVISORY NOTES

- Install and maintain backflow prevention device(s) in accordance with Council's WS4.0 Backflow Prevention Containment Policy. This policy can be found on Council's website:

www.centralcoast.nsw.gov.au

This condition only applies if installation / alteration of plumbing and / or drainage works are proposed (excludes stormwater drainage).

- It is an offence under the *National Parks and Wildlife Act 1974* to disturb an Aboriginal artefact without a Permit. If during works suspected Aboriginal heritage items (stone tool artefacts, shell middens, axe grinding groves, pigment or engraved rock art, burials, or scar trees) are identified, works will cease and OEH (131555) will be contacted.
- Dial Before You Dig
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry
- The following public authorities may have separate requirements in the following aspects:
 - a) Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments
 - b) Jemena Asset Management for any change or alteration to the gas line infrastructure
 - c) Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
 - d) Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
 - e) Central Coast Council in respect to the location of water, sewerage and drainage services.
- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.

Offence to harm native protected fauna

It is an offence under the *Biodiversity Conservation Act 2016* to harm protected native wildlife. If during works fauna is displaced, it must not be harmed. If required works will cease and fauna will be transferred to the nearest veterinary hospital and Councils Ecologist will be notified within 24hrs.